

## JAVA Resolution 04-0916-03



1           **WHEREAS**, the Joint Antelope Valley Authority (JAVA), a joint administrative entity created under  
2 the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. § 13-801 et. seq.) by agreement of April 15, 2000 as  
3 amended (JAVA Interlocal Agreement) between the Board of Regents of the University of Nebraska, a public  
4 body corporate and governing body of the University of Nebraska (University), the City of Lincoln, Nebraska, a  
5 municipal corporation (City), and the Lower Platte South Natural Resources District, a political Subdivision of the  
6 State of Nebraska (LPSNRD) is now implementing under the JAVA Interlocal Agreement the Phase One Priority  
7 Projects of Antelope Valley Amended Draft Single Package; and

8           **WHEREAS**, JAVA has previously approved by-laws, administrative resolution, policies and  
9 guidelines for the implementation of the Phase One Priority Projects.

10           **NOW THEREFORE**, be it resolved by the Administrative Board of the Joint Antelope Valley  
11 Authority as follows:

- 12       1. The attached Construction and Maintenance Agreement with the Burlington Northern Sante Fe Railway  
13       Company for both the Big "T" roadway and Bridges Federal aid Project CM 55(144), Control No. 11215e,  
14       Spec no. 04-227 and the East Leg Roadway and Bridge, Projects Federal Aid Project STPC-5257(1),  
15       Control No. 11215f (Agreement) is hereby authorized and approved on behalf of the Authority.
- 16       2. The Chairperson is authorized to sign and execute the same on behalf of the Authority. In addition, the  
17       Chairperson is authorized to approve minor, typographical, or technical changes to conform to the originals  
18       as approved by the other Parties to the Agreement.
- 19       3. Accordingly, the expenditure and allocating of JAVA funds for such purposes is hereby authorized and the  
20       requirements of the by-laws of the Board are hereby incorporated into this approval and the JAVA board  
21       does hereby grant final approval of the contract as in conformance with all applicable requirements of the  
22       board.
- 23       4. The Chairperson is authorized to sign, execute, accept or assign real estate easements, documents or  
24       transfers as provided in the Agreement on behalf of the Authority.
- 25       5. There is hereby appropriated cash balances and lawfully available appropriations including all money now  
26       credited or which will be credited to the Antelope Valley – Phase 1 Construction Fund specifically for the Big  
27       "T" roadway and Bridges Federal aid Project CM 55(144), Control No. 11215e, and the East Leg Roadway  
28       and Bridge, Projects Federal Aid Project STPC-5257(1), Control No. 11215f for payment as needed to  
29       implement the land acquisition, contracting and project expenses for the JAVA responsibilities in the  
30       Agreement. Accordingly, the JAVA treasurer is hereby authorized to accept the transfer of funds from the

- 1 related City CIP project/s (reference 780106) and other sources as appropriated to the associated JAVA
- 2 project (reference 880106).
- 3 6. The same shall be kept on file with the official records of the Authority as provided in the by-laws.

Dated this 16<sup>th</sup> Day of September, 2004.

Introduced by: \_\_\_\_\_

Approved by Unanimous Vote of \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ after public hearing on this 16<sup>th</sup> Day of September 2004.

Signed:

**Joint Antelope Valley Authority**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Glenn Johnson, Chairperson

Approved as to form and Legality

\_\_\_\_\_  
Legal Counsel